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Enclosure  
77-2871

MEMORANDUM FOR: Acting Deputy Director of  
Central Intelligence

FROM: Michael J. Malanick  
Acting Deputy Director for  
Administration

25X1

SUBJECT: Conference on Creativity, Controls, and  
Ethics (U/AIUO)

(Copy sent [redacted])

1. (U/AIUO) You recently requested that we consider a gathering of Agency officers for the purpose of reviewing where we stood in our activities devoted to Creativity, Controls, and Ethics. In response to that request, the Office of Training's Center for the Study of Intelligence has developed the attached program which I believe will accomplish what it is that you had in mind, plus adding some new and outside perspectives to the Agency's previous efforts in this direction.

2. (U/AIUO) May I suggest you glance over the attached program, which includes as Attachment 1, a two-day schedule of events for the conference; as Attachment 2, a rationale behind the conference, its composition, location, invitees, and timing; as Attachment 3, the proposed composition of the panels; as Attachment 4, a statistical breakdown of the special invitation list; and as Attachment 5, a list of the names of the proposed special invitees with identifications as to what events they have participated in previously and which component of the Agency they represent. Then, if you wish, [redacted] of the Center for the Study of Intelligence can provide you with an oral briefing and/or answer any questions you may have about the proposed conference. Thereafter, I would very much appreciate your approving our going ahead to plan and hold the conference.

/s/ Michael J. Malanick

Michael J. Malanick

MORI/CDF Pages 1-2 & 4-16

Attachments:

- 1 - Draft Schedule (U/AIUO)
- 2 - Background Rationale (U/AIUO)
- 3 - Composition of Panel Presentations (U/AIUO)
- 4 - Statistical Breakdown of Invitees (U/AIUO)
- 5 - List of Invitees (C)

Downgrade to U/AIUO  
Upon Removal of Attachment 5

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TRANSMITTAL SLIP		DA	13/12/77
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**SUBJECT: Conference on Creativity, Controls, and Ethics (U/AIUO)**

\* /s/John F. Blake

**APPROVED:**

Acting Deputy Director of Central Intelligence

**DISAPPROVED:**

Acting Deputy Director of Central Intelligence

**DATE:**

8 DEC 1977

**Distribution:**

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1) A chairperson will be selected to focus the 45-minute question/answer segment of the lectures on a discussion of major points of the lectures.

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2) The Conference will not be held at Headquarters but at  the latter being preferable.

3) The number of NFAC representatives will be decreased to approximately the same number from each of the other four areas.

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**DRAFT SCHEDULE FOR PROPOSED CONFERENCE ON  
CREATIVITY, CONTROLS, AND ETHICS**

**First Day**

- STATINTL 0900 - 1045 Talk by [ ] on "A Code of Ethics for Intelligence that would Meet the Requirements of the American Public" (to include especially those of academia, the media, and Congress). (The final 45 minutes of this period would be in question and answer.)
- 1100 - 1215 Panel Presentation: The ethical questionnaire developed by the Senior Seminar--Should it be refined and submitted to a wider sampling of the Agency?
- STATINTL 1330 - 1515 Talk by [ ] on his masters thesis on "Ethics in Intelligence." (The final 45 minutes of this period would be in question and answer.)
- 1530 - 1700 Panel Presentation: "Creativity in a Climate of Controls"--the management of people in the Agency, the question whether stress upon numbers (judgment by quantification) is diluting moral leadership in the Agency as it is claimed to be doing in the military services, the need for (or lack of it) a review of MBO, and the impediments to creativity of budgetary inflexibility.

**Second Day**

- 0900 - 1045 Talk by Ronald Stupak on "The Importance of Personal Ethics as an Avenue to a Company Ethic." (The final 45 minutes of this period would be in question and answer.)
- 1100 - 1215 Panel Presentation: "The Climate for Creativity Set by Decisionmaking Processes and the Climate for Dissent"--broadening decision-making processes, the problem of secrecy, the use of think-units, how far can a dissenter go, and how well can he be shielded from retribution?

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Second Day (continued)

- 1330 - 1515      Talk by Col. Malham Wakin (AF Academy) or Col. William Rawlinson (Army WC) on "Ethical Issues of Military Leadership" (with emphasis upon the proper application of the obligation to resist superior orders--or pressures--which are ethically improper.) (The final 45 minutes would be in question and answer.)
- 1530 - 1700      Panel Presentation: "The Practice of the Intelligence Profession vs. the Obedience to Law"--both domestic and foreign--a moral dilemma? Intelligence collection and human rights--those of Americans, those of foreigners, and those of sources/agents--compatible practices?

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## BACKGROUND RATIONALE FOR THE PLANNING OF THE CONFERENCE ON CREATIVITY, CONTROLS, AND ETHICS

1. A major consideration underlying the proposal presented here is the likely lack of interest in a rehash of previously covered ground on this topic. Thus, if we are to review the work done thus far on the subject, it seems logical to introduce some new thought on the subject while providing opportunity for discussion of aspects that were touched on in earlier sessions (but not adequately aired because of the lack of time). With these two principles in mind, the program took the shape of inviting four outside speakers, all of whom could provide some new insights for the participants in the conference. The topics chosen for panel discussion cover areas raised in earlier discussions for which there was inadequate discussion.\*

### 2. Speakers:

a. [ ] was chosen as the first of the outside speakers because he has worked on a code of ethics for the intelligence profession from the point of view of an outsider who brings to the subject an understanding of the seeming demands of academia, the media, and Congress upon what CIA should and should not be doing.

b. The second speaker chosen was [ ] who is a former DDO career officer, now retired. He would have to be paid for his services. He has developed and written a masters thesis (University of Pennsylvania) on ethics in intelligence since he retired from Agency service. Basically, we would ask him to present the high points of his thesis.

c. The third speaker chosen is Mr. Ronald Stupak of the Federal Executive Institute (FEI) in Charlottesville, Virginia. Mr. Stupak is the FEI's instructor and coordinator of a fairly frequently repeated segment on ethics in the FEI's Senior Executive Training Course.

\*There were nine previous "events" on this topic:  
(1) the first seminar on CC&E composed of senior officers,  
(2) the second seminar of younger officers, (3) OTR Senior Seminar coverage of CC&E, (4 and 5) OTR's Midcareer 56 and 57 coverage, and (6, 7, 8, and 9) the four separate directorate discussions and reports to the DDCI on CC&E.

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During Mr. Stupak's earlier conversations with OTR officers on this general subject, he pointed out the vital importance of a discussion of personal ethics as a prelude to achieving acceptable ethical standards in any profession, organization, or corporation. Since thus far this aspect has been untouched in any previous CIA discussions, he seems a logical man to introduce it into our deliberations.

d. The last speaker suggested is either of two men, both of whom have written and instructed extensively at their respective military training institutions on the subject of ethics in the military profession. (CSI has articles either written by or about these men.) There are many parallels between CIA and the services in the ethical problems of leadership; though they would not be the same, there should be much common ground--the most interesting of which is perhaps the problem of resisting improper orders from superiors.

3. Panels: The panels can review to the extent necessary, the work covered by the previous events, as each panel is representative of some of the participants in those events.

a. The panel first suggested derives from the Senior Seminar effort to develop a questionnaire on the ethical standards of Agency employees on specifically defined issues. The original questionnaire was filled out by the Senior Seminar, the Midcareer Class 57, and the Introduction to Operations Course members. If the questionnaire does seem a useful vehicle, the panel could discuss whether it should be refined with perhaps somewhat more definitive questions and/or questions on other aspects of ethical issues in the intelligence profession, and then be given to a broader sample of Agency employees. The members chosen for this panel are representative of various previous groups who dealt with the general topic, plus [redacted] who is currently writing on the subject of ethics for the DCI, and [redacted] who is an outspoken young DDO career officer. The panel chairmanship naturally falls to [redacted] who developed the original concept for the Senior Seminar project.

b. The second panel on Creativity in a Climate of Controls is designed to discuss matters brought up in the DDI and DDO Directorate papers, the panel discussions of the DDA and DDS&T, and Midcareer 56 discussions. [redacted] who wrote the DDO Directorate



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paper, seems the natural panel chairman; and the members, as can be seen from their listing, have with a single exception been involved in one or another of these discussions.

c. The third panel comes very close to impinging upon management style and management procedures--a subject that was listed at a number of the previous nine events, but most spectacularly by the Midcareer 57 group, some of whose members wanted to carry dissent all the way to the public media. The chairmanship of this panel would logically fall to Mike Malanick, since he was the coordinator for the DDA's discussion of this topic. It also seemed necessary to heavily load the membership of this panel with persons from Midcareer 57.

d. The final panel covers a subject of discussion that several groups tried to get into without very adequately covering the issues. It was necessary to call a halt to human rights discussions at both of the Midcareer courses out of certainty that no other aspect of creativity, controls, and ethics would be discussed if further discussion of human rights was not ruled out. A heavy reservoir of desire to speak on the subject matter of this panel exists among all who have involved themselves with this topic thus far. For that reason, this panel was placed at the end of the panel presentations, and it is partly for that reason that three Agency officers not previously engaged in any of the earlier events have been designated for membership on the panel.

e. Finally, the panel subject which is not included is the question of whether CIA should develop a written code of ethics. This seemed ruled out by the almost overwhelming unanimity of the earlier sessions that no such code should be written or even attempted. The question, therefore, seems to be settled unless the question-and-answer period to the first three speakers suggests some other orientation on the part of the participants.

4. Location: The location for the conference is extremely difficult. Some 100 to 150 people should be invited, and the interest in participating should bring out about 75 to 100 of these. No auditorium available anywhere in CIA Headquarters or outlying building,  can

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accommodate about 100 to 150 people. The main Headquarters auditorium which accommodates nearly 500 is entirely too big, for the following two reasons:

a. A "heavy" attendance of 100 would appear embarrassingly scant interest to the four guest speakers looking at 400 empty seats.

b. If we "dragoon" more than 100 people to attend any session in the Headquarters auditorium, the possibilities for discussion and participation are reduced to zero. (One cannot hear questions being asked in the big auditorium, and few have courage or stage presence enough to stand up on the floor of a full auditorium to engage in dialogue.)

Thus, we are practically limited to GA-13 or 1A-13, each of which have severe drawbacks, but both of which would appear "crowded" to our speakers, will provide space for a panel in front of the audience, and be small enough to permit dialogue.

5. Invitees: Those to be invited to attend are listed on a separate sheet with an indication of their previous participation in an "event," or interest, and with their organizational component. A review of this list should indicate a fairly broad sampling across the Agency's many components and a range of age and grade. Nevertheless, open invitations should be extended by poster, indicating that the doors will be closed when the room has filled.

6. Conference Report: The Center will undertake to try to write up an account of this conference following its completion and other than matters that the conference may recommend--such as additional circulation of the ethical questionnaire--the subject of creativity, controls, and ethics should then have been very thoroughly aired for all those in the Agency interested in doing so.

7. Timing: The conference could be held at any time, but would require about six or seven weeks of lead time to line up the outside speakers and forewarn and prepare the panel groups.

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STATISTICAL BREAKDOWN OF INVITEES  
TO C, C, & E CONFERENCE

MALES .....	82
FEMALES .....	15
OVER 10 YEARS EXPERIENCE .....	61
10 YEARS EXPERIENCE .....	15
UNDER 10 YEARS EXPERIENCE .....	13
DDO .....	15
NFAC .....	35
DDS&T .....	14
DDA .....	16
DCI COMPONENTS .....	13
PREVIOUSLY INVOLVED .....	60
NEW TO SUBJECT .....	37
TOTAL .....	97

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